

REMARKS/ARGUMENTS

Request for Continued Examination:

The applicant respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

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Amendments to the Claims

Independent claims 1, 8, and 13 have been amended to more clearly define the features of the instant application. As clearly shown in Fig. 2 and disclosed in specification paragraphs [0017]-[0019] of applicant's disclosure, the arrangement of the variable memory is predetermined regardless of the type of disk accessed by the optical disk drive. And the variable memory is configured to have predetermined memory allocation where the common reading variables, reading variables and writing variables, are set up respectively. As clearly shown in Fig. 3 and disclosed in specification paragraph [0016] of applicant's disclosure, the variables are therefore set up in an appropriate allocated memory area according to the identification result of the disk type. In other words, as the arrangement of the variable memory is always the same regardless of the type of disk accessed by the optical disk drive, the identification result of the disk type would not be used to determine the arrangement of the variable memory.

The applicant believes that the amendments made to claims 1, 8, and 13 introduce no new matter. Due to the amendments made to claims 1, 8, and 13, claims 19-21 are newly entered and claims 4-6, 9-11, and 15-16 are amended accordingly. In addition, claim 23 is newly added to include the limitations fully supported by Fig. 3 and specification paragraph [0016] of applicant's disclosure. As no new matter is introduced, consideration of above-identified claim amendments is respectfully requested.

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Claim Rejections – 35 USC 103

Claims 1-6, 8-11 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al., US Patent Publication 2002/0181356 in view of the Applicant's Admitted Prior Art (AAPA).

30 **Response:**

Claims 1, 8 and 13

Claim 1 has been amended to more clearly define the limiting clauses of the claimed invention, namely that an arrangement of the variable memory is predetermined regardless of the type of the disk accessed by the optical disk drive (*emphasis added*).

5 As the arrangement of the variable memory taught by applicant is predetermined when an optical disk of any disk type is inserted into the optical disk drive, the identification result of the disk type of the inserted optical disk would not be used to determine the arrangement of the variable memory. In view of the arguments set forth hereinafter, the applicant asserts that this claimed feature is neither taught nor suggested by Watanabe in
10 and AAPA, alone or in combination.

Referring to Watanabe Figs. 10-11 and specification paragraphs [0132]-[0133], Watanabe teaches that the optical disc determination block (7) determines the class and type of the optical disc (2), and then the determination result of the optical disc determination block (7) is transmitted to the CPU (21) for determining an optimum
15 memory arrangement of the memories (300, 400) for the optical disc (2). Therefore, one of the distinct memory arrangements illustrated in Watanabe Fig. 11 is selected in response to the disc type determination result of the optical disc determination block (7). In other words, the identification result of the disk type as taught by Watanabe is for determining how to set up the memory arrangement of the variable memory to achieve an
20 optimum memory arrangement. The applicant therefore respectfully points out that Watanabe discloses a variable memory whose memory arrangement is **varied according to an identification result of a disk type of the inserted optical disk**. In addition, the applicant points out that Watanabe merely teaches adjusting memory partition sizes in the variable memory according to the disk types, and is silent on setting up variables at the
25 same address in the variable memory regardless of the disk type of the inserted optical disk. Therefore, the limitations of steps (b) and (c) recited in applicant's claim 1 are not taught by Watanabe.

In light of at least above reasons, the applicant asserts that claim 1 should be found allowable over the cited prior art, and the rejections under 35 U.S.C. 103(a) have been
30 overcome.

As claims 8 and 13 have been amended to include substantially the same limitations as currently amended claim 1, the applicant asserts that claims 8 and 13 should be found allowable over the cited prior art, and the rejections under 35 U.S.C. 103(a) have been overcome.

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Claims 2-6, 9-11 and 14-17

Claims 2-6, 9-11 and 14-16 are dependent upon claims 1, 8 and 13 respectively, and should be allowed if claims 1, 8 and 13 are found allowable.

With regard to claim 17, Examiner stated that “reproduction information storage” can read on the claimed writing variables (page 8 of the Office action dated 01/10/2008). However, the applicant points out that the reproduction information stored in the reproduction information storage is different from the control information according to teachings of Watanabe. That is, the reproduction information taught by Watanabe includes user data recorded on the optical disk, but does not have control information such as writing variables included therein (paragraphs [0087] and [0088]). The applicant contends that figures 2 and 11 taught by Watanabe fail to teach the concept of having separate memory addresses in the variable memory for setting up reading variables and writing variables respectively. In addition, claim 17 is dependent upon claim 13, and should be allowed if claim 13 is found allowable.

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Other Matter

Newly added claims 19-21 are dependent upon claims 1, 8 and 13 respectively, and should be allowed if claims 1, 8 and 13 are found allowable.

With regard to the newly added claim 22, it defines **reading a predetermined area on the optical disk** to further judge whether the optical disk is recordable when the type of the optical disk is identified as first optical disk or second optical disk, and then setting up writing variables at another address in the variable memory when the optical disk is found recordable. The applicant contends that this claimed feature directed to further identifying a recordable disk for setting up corresponding writing variables thereof, as illustrated in the flow on applicant’s Fig. 3, is not taught or

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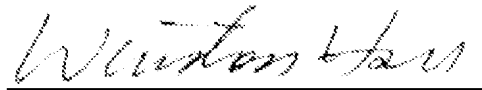
suggested by Watanabe and AAPA, alone or in combination. In addition, claim 22 is dependent upon claim 1, and should be allowed if claim 1 is found allowable.

Conclusion

5 Based on the above remarks/arguments, the applicant respectfully submits that all of the rejections set forth in the Office Action dated 01/10/2008 have been overcome and the all of the pending claims are now in condition for allowance. The applicant therefore respectfully requests that a timely Notice of Allowance be issued in this case. If a telephone conference would facilitate the prosecution of this application, the
10 Examiner is invited to contact the undersigned applicant's representative at the number indicated below.

Sincerely yours,

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